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Reporting Category

Category	Subcategory	Situation	Victim/Offender Armed?	Weapon Types	Weapon Other	Weapon Recovered?	Deceased?
05B EXCESSIVE FORCE / ON DUTY - NO INJURY	CLOSED HAND STRIKE (PUNCH)	DURING ARREST	-	-	-	-	-

row(s) 1 - 1 of 1

Log No: 1034460 Type:CR

Accused Members

Review Name	Status	Accused Overall Finding	Recommended Penalty	No. of Days	Date/Time Served	Created Date	Complimentary History
View Unknown	CLOSED/FINAL	NOT SUSTAINED	-	-	-	10-MAR-2010	N/A

row(s) 1 - 1 of 1

Attachments

No.	Type	Related Person	No. of Pages	Narrative	Original in File	Entered By	Entered Date/Time	Status	Approve Content?	Approve Inclusion?
View 1	FACE SHEET	N/A	-	-	-	HEARD, LORRAINE	MAR-10-2010 09:39	-	-	-
View 2	CONFLICT CERTIFICATION	N/A	-	-	-	CONNOLLY, KEVIN	MAR-11-2010 13:51	-	-	-
View 3	CONFLICT CERTIFICATION	N/A	-	-	-	BOWENS, DARREN	APR-12-2010 12:52	-	-	-
View 4	ARREST REPORT	N/A	5	[REDACTED]	-	HOWARD, MIA	APR-16-2010 16:38	APPROVED	-	YES
View 5	GENERAL OFFENSE CASE REPORT	N/A	2	RD# HS200017	-	HOWARD, MIA	APR-16-2010 16:39	APPROVED	-	YES
View 6	TACTICAL RESPONSE REPORT (TRR)	N/A	2	PO RUBALD #14540	-	HOWARD, MIA	APR-16-2010 16:39	APPROVED	-	YES
View 7	TACTICAL RESPONSE REPORT (TRR)	N/A	2	PO SCHULZ #887	-	HOWARD, MIA	APR-16-2010 16:40	APPROVED	-	YES
View 8	TACTICAL RESPONSE REPORT (TRR)	N/A	2	PO SCUDELLA #16384	-	HOWARD, MIA	APR-16-2010 16:40	APPROVED	-	YES
View 9	OFFICERS BATTERY REPORT	N/A	1	PO RUBALD #14540/ RD# HS200017	-	HOWARD, MIA	APR-16-2010 16:41	APPROVED	-	YES
View 10	INVENTORY SHEET	N/A	1	INV# 11952078	-	HOWARD, MIA	APR-16-2010 16:41	APPROVED	-	YES
View 11	INVENTORY SHEET	N/A	1	INV# 11952074	-	HOWARD, MIA	APR-16-2010	APPROVED	-	YES

View	12	INVENTORY SHEET	N/A	1	INV# 11952077	-	HOWARD, MIA	16:42 APR-16-2010 16:42	APPROVED -	YES
View	13	INVENTORY SHEET	N/A	1	INV# 11952068	-	HOWARD, MIA	16:43 APR-16-2010 16:43	APPROVED -	YES
View	14	DETECTIVE SUPPLEMENTARY REPORT	N/A	2	PO JOHNSON #17034	-	HOWARD, MIA	16:44 APR-16-2010 16:44	APPROVED -	YES
View	15	SEARCH WARRANT	N/A	6	-	-	HOWARD, MIA	16:44 APR-16-2010 16:44	APPROVED -	YES
View	16	INVENTORY SHEET	N/A	1	EVIDENCE RECOVERY LOG	-	HOWARD, MIA	16:45 APR-16-2010 16:45	APPROVED -	YES
View	17	TASER DEPLOYMENT DATA SHEET (DOWNLOAD)	N/A	2	SGT. SCHULTZ	-	HOWARD, MIA	16:46 APR-16-2010 16:46	APPROVED -	YES
View	18	CHICAGO POLICE DEPARTMENT EVENT QUERY	N/A	4	EVENT QUERIES	-	HOWARD, MIA	16:46 APR-16-2010 16:46	APPROVED -	YES
View	19	REQUEST FOR PHOTOS	N/A	1	-	-	HOWARD, MIA	16:47 APR-16-2010 16:47	APPROVED -	YES
View	20	CRIME SCENE PROCESSING REPORT	N/A	1	RD# HS200017	-	HOWARD, MIA	16:48 APR-16-2010 16:48	APPROVED -	YES
View	21	PHOTOGRAPH	N/A	8	[REDACTED]	-	HOWARD, MIA	16:48 APR-16-2010 16:48	APPROVED -	YES
View	22	LETTER TO COMPLAINANT	N/A	1	[REDACTED]	YES	HOWARD, MIA	16:51 APR-16-2010 16:51	APPROVED -	YES
View	23	LETTER TO WITNESS	N/A	1	[REDACTED]	-	HOWARD, MIA	16:53 APR-16-2010 16:53	APPROVED -	YES
View	24	LETTER TO WITNESS	N/A	1	[REDACTED]	-	HOWARD, MIA	16:58 APR-16-2010 16:58	APPROVED -	YES
View	25	CONSENT FOR AUDIO RECORDED INTERVIEW	N/A	1	[REDACTED]	-	BRUMFIELD, LUCILLE	13:17 JAN-24-2011 13:17	APPROVED -	YES
View	26	SWORN AFFIDAVIT FROM COMPLAINANT	N/A	1	[REDACTED]	-	BRUMFIELD, LUCILLE	13:17 JAN-24-2011 13:17	APPROVED -	YES
View	27	INTERVIEW-REPORTING PARTY	N/A	17	Transcribed Recorded Statement of [REDACTED]	-	BRUMFIELD, LUCILLE	13:19 JAN-24-2011 13:19	APPROVED -	YES
View	28	CONSENT FOR INTERVIEW WITH JUVENILE	N/A	1	[REDACTED]	-	BRUMFIELD, LUCILLE	13:19 JAN-24-2011 13:19	APPROVED -	YES
View	29	SWORN AFFIDAVIT FROM COMPLAINANT	N/A	1	[REDACTED]	-	BRUMFIELD, LUCILLE	13:23 JAN-24-2011 13:23	APPROVED -	YES
View	30	INTERVIEW-REPORTING PARTY	N/A	20	Transcribed Recorded Statement of [REDACTED]	-	BRUMFIELD, LUCILLE	13:24 JAN-24-2011 13:24	APPROVED -	YES
View	31	CONSENT FOR AUDIO	N/A	1	[REDACTED]	-	BRUMFIELD, LUCILLE	13:25 JAN-24-2011 13:25	APPROVED -	YES

		RECORDED INTERVIEW								
View	32	SWORN AFFIDAVIT - NO COOPERATION	N/A	1	[REDACTED]	-	BRUMFIELD, LUCILLE	JAN-24- 2011 13:25	APPROVED -	YES
View	33	INTERVIEW - VICTIM	N/A	15	Transcribed Recorded Statement of [REDACTED]	-	BRUMFIELD, LUCILLE	JAN-24- 2011 13:26	APPROVED -	YES
View	34	TO/FROM REPORT	N/A	1	Re: Witness/Victim [REDACTED]	-	BRUMFIELD, LUCILLE	JAN-24- 2011 13:27	APPROVED -	YES
View	35	MEDICAL RECORDS	N/A	23	Holy Cross Hospital; Patient: [REDACTED] [REDACTED]	-	BRUMFIELD, LUCILLE	JAN-24- 2011 13:28	APPROVED -	YES
View	36	PHOTOGRAPH	N/A	26	-	-	BRUMFIELD, LUCILLE	JAN-24- 2011 13:29	APPROVED -	YES
View	37	TO/FROM REPORT	N/A	3	Witness Report Required from P.O. B. Warchol; report attached	-	BRUMFIELD, LUCILLE	JAN-24- 2011 13:31	APPROVED -	YES
View	38	TO/FROM REPORT	N/A	3	Witness Report Required from P.O. S. Jarosz; report attached	-	BRUMFIELD, LUCILLE	JAN-24- 2011 13:32	APPROVED -	YES
View	39	WITNESS REPORT	N/A	1	P.O. Jason Martino	-	BRUMFIELD, LUCILLE	JAN-24- 2011 13:32	APPROVED -	YES
View	40	TO/FROM REPORT	N/A	3	Witness Report Required from P.O. A. Scudella; report attached	-	BRUMFIELD, LUCILLE	JAN-24- 2011 13:33	APPROVED -	YES
View	41	TO/FROM REPORT	N/A	3	Witness Report Required from P.O. R. Harty; report attached	-	BRUMFIELD, LUCILLE	JAN-24- 2011 13:35	APPROVED -	YES
View	42	TO/FROM REPORT	N/A	3	Witness Report Required from P.O. J. Mansell; report attached	-	BRUMFIELD, LUCILLE	JAN-24- 2011 13:36	APPROVED -	YES
View	43	WITNESS REPORT	N/A	1	P.O. Zachary Rubald	-	BRUMFIELD, LUCILLE	JAN-24- 2011 13:46	APPROVED -	YES
View	44	TO/FROM REPORT	N/A	4	Witness Report Required from Sgt. A. Schulz; report attached	-	BRUMFIELD, LUCILLE	JAN-24- 2011 13:47	APPROVED -	YES
View	45	AUDIO RECORDING	N/A	1	Audio Interview [REDACTED]	YES	BOWENS, DARREN	JAN-21- 2011 14:17	APPROVED -	YES
View	46	AUDIO RECORDING	N/A	1	Audio Interview of [REDACTED]	YES	BOWENS, DARREN	JAN-21- 2011 14:18	APPROVED -	YES
View	47	AUDIO RECORDING	N/A	1	Audio Interview of [REDACTED]	YES	BOWENS, DARREN	JAN-21- 2011 14:14	APPROVED -	YES
View	48	INVESTIGATOR CASE LOG	N/A	1	-	-	BRUMFIELD, LUCILLE	JAN-24- 2011 13:48	APPROVED -	YES
View	-	SUMMARY	N/A	9	-	NO	DAVIS,	JAN-26-	APPROVED -	YES

Internal Use Only

No Internal Use Only attachments available.

Print Accused Appeal Forms

No Accused Appeal forms available for this Log No.

Related Incidents**TIP** Related Incidents listed below are for reference only. These may be viewed using the related application search screens.

No Related Incidents associated with this Log No.

Status History**TIP** Every employee included in the Status History is subject to be called for legal or administrative proceedings.

Resulting Status	Status Date/Time	Created By	Position	Employee No.	Assigned/ Detailed Unit	Comments
CLOSED AT C.O.P.A.	31-JAN-2011 17:15	MCGHEE, CYNTHIA	CLERK 3	██████	113 / -	-
CLOSED/FINAL	31-JAN-2011 17:15	MCGHEE, CYNTHIA	CLERK 3	██████	113 / -	-
PENDING IMPLEMENT ACTION	31-JAN-2011 07:04	ROWAN, JAMES	SERGEANT OF POLICE	██████	119 / -	-
PENDING ADVOCATE REVIEW	28-JAN-2011 13:41	HOFFMANN, KATHLEEN	POLICE OFFICER	██████	119 / -	-
PENDING REVIEW INCIDENT (I.A.D./DISTRICT USE)	26-JAN-2011 17:19	MCGHEE, CYNTHIA	CLERK 3	██████	113 / -	-
CLOSED AT C.O.P.A.	26-JAN-2011 17:18	MCGHEE, CYNTHIA	CLERK 3	██████	113 / -	-
PENDING REVIEW INCIDENT (C.O.P.A. USE ONLY)	26-JAN-2011 15:14	DAVIS, LORENZO	SUPERVISING INV COPA	██████	113 / -	-
PENDING INVESTIGATIVE REVIEW	26-JAN-2011 14:17	BOWENS, DARREN	INVESTIGATOR 2 COPA	██████	113 / -	-
PENDING INVESTIGATION	26-JAN-2011 13:40	DAVIS, LORENZO	SUPERVISING INV COPA	██████	113 / -	-
PENDING INVESTIGATIVE REVIEW	26-JAN-2011 12:19	BOWENS, DARREN	INVESTIGATOR 2 COPA	██████	113 / -	-
PENDING INVESTIGATION	11-MAR-2010 13:51	CONNOLLY, KEVIN	INVESTIGATOR 3 COPA	██████	113 / -	-
PENDING ASSIGN INVESTIGATOR	11-MAR-2010 12:00	DUFFY, MICHAEL	COOR /INVESTIGATIONS	██████	113 / -	-
PENDING ASSIGN TEAM	10-MAR-2010 14:13	QUERFURTH, PATRICK	SUPERVISING INV COPA	██████	113 / -	-
PENDING SUPERVISOR REVIEW	10-MAR-2010 13:50	HEARD, LORRAINE	POLICE AIDE	██████	716 / 113	-
PRELIMINARY	10-MAR-2010 09:39	HEARD, LORRAINE	POLICE AIDE	██████	716 / 113	-

Command Channel Reviewers

No Command Channel Reviewers have been assigned.

SUMMARY REPORT DIGEST
CHICAGO POLICE DEPARTMENTLOG NO
1034460TYPE
CRDATE OF REPORT
21-JAN-2011

INSTRUCTIONS: To be used in all cases that are to be classified as either EXONERATED, UNFOUNDED, NOT SUSTAINED, NO AFFIDAVIT, or in SUSTAINED cases where the Disciplinary Recommendation does not exceed Five (5) DAYS SUSPENSION.

TO: CHIEF ADMINISTRATOR, INDEPENDENT POLICE REVIEW AUTHORITY

FROM - INVESTIGATOR'S NAME	RANK	STAR NO	EMPLOYEE NO	UNIT ASSIGNED	UNIT DETAILED
BOWENS, DARREN	9182	124		113	IPRA

REFERENCE NOS.(LIST ALL RELATED C.L., C.B., I.R., INVENTORY NOS., ETC., PERTINENT OF THIS INVESTIGATION)

INCIDENT ADDRESS: 6449 S. HOYNE AVE, CHICAGO, IL 60636	DATE / TIME: 10-MAR-2010 02:03	BEAT: 726
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ACCUSED

NAME	RANK	STAR NO	EMP NO	UNIT ASSIGNED	UNIT DETAILED	SEX/RACE	DOB	APPOINTED DATE	ON DUTY ?	SWORN ?
UNKNOWN						/			YES	UNK

REPORTING PARTY

NAME	ADDRESS*	CITY STATE	TELEPHONE	SEX / RACE	DOB / AGE
		CHICAGO, IL		F / BLK	1959 / 51

VICTIMS

NAME	ADDRESS*	CITY STATE	TELEPHONE	SEX / RACE	DOB / AGE
		CHICAGO, IL		F / BLK	1959 / 51
		CHICAGO, IL		M / BLK	1986 / 24
		CHICAGO, IL		M / BLK	/
		CHICAGO, IL		F /	1952 / 58

WITNESSES

NAME	ADDRESS*	CITY STATE	TELEPHONE	SEX / RACE	DOB / AGE
	RANK: 9161, STAR NO: 9353, EMP NO:			M / WHI	1983 / 27
	RANK: 9161, STAR NO: 6803, EMP NO:			M / WHI	1982 / 28
	RANK: 9161, STAR NO: 16543, EMP NO:			M / WHI	1979 / 31
	RANK: 9161, STAR NO: 16384, EMP NO:			M / WHI	1978 / 32
	RANK: 9161, STAR NO: 17757, EMP NO:			M / WHI	1976 / 34
	RANK: 9161, STAR NO: 17374, EMP NO:			M / WHI	1981 / 29
	RANK: 9171, STAR NO: 887, EMP NO:			M / WHI	1970 / 40
	RANK: 9161, STAR NO: 14540, EMP NO:			M / WHI	1976 / 34

* IF CPD MEMBER, LIST RANK, STAR, EMPLOYEE NOS. IN ADDRESS, PAX/BELL IN TELEPHONE BOX.

SUMMARY REPORT DIGEST

CHICAGO POLICE DEPARTMENT

LOG NO
1034460

TYPE
CR

DATE OF REPORT
21-JAN-2011

INSTRUCTIONS: To be used in all cases that are to be classified as either EXONERATED, UNFOUNDED, NOT SUSTAINED, NO AFFIDAVIT, or in SUSTAINED cases where the Disciplinary Recommendation does not exceed Five (5) DAYS SUSPENSION.

ALLEGATIONS

SEE PAGE 3

SUMMARY

SEE PAGE 3

ATTACHMENTS

INVESTIGATIVE REPORTS - SUPPORTING ALLEGATIONS LIST ATTACHMENTS NUMBER	INVESTIGATIVE REPORTS - SUPPORTING ACCUSED MEMBERS(S) LIST ATTACHMENTS NUMBER:	PHYSICAL EVIDENCE LIST ATTACHMENTS NUMBERS:	TOTAL NUMBER OF ATTACHMENTS SUBMITTED WITH THIS FILE:
27, 30, 33, 35, 45, 46, 47	4, 5, 6, 7, 8, 9, 14, 15, 17, 37, 38, 39, 40, 41, 42, 43, 44,	21, 36	48

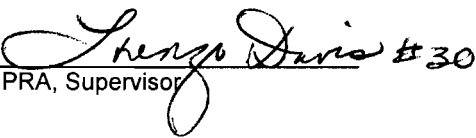
FINDINGS - RECOMMENDATIONS

ACCUSED: UNKNOWN OFFICERS:

ALLEGATIONS #1, 2, 4, 5: NOT SUSTAINED

ALLEGATION #3: UNFOU NDED

APPROVED:

 #30
IPRA, Supervisor

DATE INITIATED
(Date incident was received for investigation)

11-MAR-2010

DATE COMPLETED (Date of this report)

21-JAN-2011

ELAPSED TIME
(Total time expressed in days)

316

Investigator will initiate the Command Channel Review form by
completing the Investigator's Section.

INVESTIGATOR'S SIGNATURE

 #124

IF NECESSARY, USE AN 8 1/2 x 11" SHEET OF WHITE PAPER TO CONTINUE ANY ITEM.

ALLEGATIONS:

On 10 MAR 2010 at 0939 hours, Reporting Party Victim █████ registered this complaint with IPRA Intake Aide Lorraine Heard. █████ alleges on 10 MAR 2010 at 0230 hours at 6449 S. Hoyne Avenue, that **UNKNOWN ACCUSED OFFICERS: 1)** Damaged her home and personal items, **2)** Pulled her from her bed, **3)** Placed a gun to the head of the Victim █████ **WHO DID NOT WITNESS** the following alleged incidents, alleges that **UNKNOWN ACCUSED OFFICERS: 4)** tasered the Victim █████ without justification and **5)** struck the Victim █████ about the face and body

In a statement to IPRA on 15 APRIL 2010, **Reporting Party Victim** █████ related that she and her family were asleep when she heard a loud explosion at the front door. █████ then observed several officers inside her home. The officers gathered █████ sister █████ and brought her into █████ bedroom. █████ related that an officer handcuffed █████ and placed a rifle to her head. Thereafter, █████ stated that officers pulled her from her bed. █████ informed the officers that she has multiple sclerosis and that she was cramping and could not walk. The officers allowed █████ and her nephew █████ to stay in █████ bedroom during the search. █████ related that some officers went downstairs where her nephew █████ was sleeping. █████ stated that her son █████ whom the officers were looking for was not present. █████ related that she was upset and frantic during this incident, and officers attempted to calm her down. █████ heard noise coming from the basement and believed the officers to be beating █████ █████ did not witness the incident between █████ and the officers. Officer's brought █████ from the basement and took him out front to an ambulance. █████ stated that the officers ransacked her home. A female officer attempted to calm █████ during this incident. After the search, the officers informed █████ that they found one "blunt," and attempted to have her sign a document, but she refused. █████ was not handcuffed during this incident. Officers provided █████ with a copy of the search warrant after searching her home. █████ observed █████ to have a swollen lip and blood on his face and was informed that █████ had been tasered. █████ did not sustain any injury. (Att. 30)

In a statement to IPRA on 15 APRIL 2010, **Victim** █████ related that she was in her sister's bedroom (█████ using the computer. █████ was lying in the bed. They heard a continuous loud noise at the front door. As █████ went to answer the door officers broke into their home. An officer pointed a rifle toward █████ and instructed her to drop what she had in her hand. █████ then placed her hands above her head. Officers then took █████ back to █████ bedroom. The officers went to █████ nephew bedroom (█████ brought him in the room with her and █████ who has multiple sclerosis, was screaming and upset. Officers handcuffed █████ and sat her down. The officers began searching the home. █████ heard a noise coming from the basement and asked the officers what is that noise? The following day, █████ stated that she became aware of her nephew, █████ being injured.

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██████████ observed swelling to ██████████ face and lips. ██████████ stated that ██████████ informed her that he was asleep in the basement and that he was beaten about the face by the officers. ██████████ related that her other nephew ██████████ did not witness the incident between ██████████ and the officers. During the search, ██████████ stated that the officers ransacked her items. ██████████ stated that the officers did not place a gun to her head during this incident. ██████████ could not provide the names of any officers involved in this incident. ██████████ stated that the officers were looking for her nephew ██████████ but he was not present. ██████████ did not sustain any injury. (Att. 27)

In a statement to IPRA on 15 APRIL 2010, **Victim** ██████████ related that he was asleep in the basement. ██████████ was awakened by officers hitting him on the face and about the body. ██████████ asked the officers, "What is going on?" ██████████ raised his hands asking the officers, "What did I do, could you tell me please?" ██████████ stood up from the couch he was lying on. The officers told ██████████ to get down. ██████████ related that he could not get down, because the officers were hitting him about the body at that time. After ██████████ did not get down, officers' tasered him. ██████████ related that he was tasered twice and then he fell out. ██████████ did not fall the first time he was tasered. The second time ██████████ was tasered he stated that he fell on his back; at which time he lost consciousness. The officers lifted ██████████ to his feet and carried him upstairs. ██████████ began to regain conscious. ██████████ stated that his mouth was swollen and bleeding. An ambulance arrived at the house and ██████████ was placed inside and transported to Holy Cross Hospital for medical treatment. ██████████ was discharged from the hospital and taken to the 007th District Station for processing. ██████████ was not handcuffed during this incident. ██████████ related that there were several officers in the basement and he could not identify the actions of the officers. ██████████ denied resisting the officers in any manner. (Att. 33)

According to the **Arrest Report**, ██████████ was arrested and charged with Battery, and three counts of Resist/Obstruction – Peace Officer/Correction Employee. During the execution of a Search Warrant (10SW5995) officers made a forced entry to the residence after there was no answer to the door. Officers made a systematic search of the basement and encountered ██████████ on the couch. ██████████ made eye contact with the officers and sat up on the couch. Police Officer Zachary RUBALD stated, "Search warrant hands up" multiple times. ██████████ ignored the verbal directions and pushed Officer RUBALD on the chest with both hands. Officer RUBALD attempted a take down of ██████████ but was unsuccessful. ██████████ continued to flail and swing his arms in an aggressive manner. Sergeant Anthony SCHULZ warned ██████████ that he was going to be tasered. ██████████ continued his aggressive actions. Sergeant SCHULZ discharged his taser striking ██████████ face struck the pillar in the middle of the basement, causing injury to his face and mouth. ██████████ continued his aggressive actions. Officer RUBALD attempted an unsuccessful takedown of ██████████. Police Officer Andrew SCUDELLA observing ██████████ still to be an active resister, applied a direct stun to ██████████ lost his balance and fell face down on the basement floor. ██████████ complied with being handcuffed. Officers requested immediate medical assistance for ██████████ who was transported to Holy

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Cross Hospital by Chicago Fire Department Ambulance 58 for medical treatment. The Arresting Officers were Officer RUBALD, and Sergeant SCHULZ, the Assisting Arresting Officer was Officer SCUDELLA. (Att. 4)

The **Case Incident Report** indicated that one brown baggie containing a green crushed plant cannabis was recovered and inventoried. The report does not provide any further information that was not related in the Arrest Report. (Att. 5)

The **Tactical Response Reports** indicate that [REDACTED] actions were that of an Assailant/Battery. PO'S RUBALD, SCUDELLA and Sergeant SCHULZ used member presence, verbal commands, wristlocks, taser discharge, taser contact stun and take down/emergency handcuffing during the arrest of [REDACTED]. Due to the fact that [REDACTED] was taken for medical treatment, the Watch Commander did not interview [REDACTED] (Att. 6, 7, 8)

PO RUBALD'S **Officer's Battery Report** indicates that [REDACTED] attacked and struck PO RUBALD with his hands/fists. PO RUBALD did not sustain any injury. (Att. 9)

The **Search Warrant** (10SW5995) was issued on 09 MAR 2010 at 2356 hours. The individual to be searched was [REDACTED] and the premise to be searched was 6449 S. Hoyne. Instruments, articles, and things to be seized were cannabis, any and all items used for the mixing and weighing of illegal narcotics, any USC generated from the sales of illegal narcotics, proof of residency. (Att. 15)

The **Taser Download Report** indicates that Sergeant SCHULZ discharged his taser (#X00-464203) twice; and that PO SCUDELLA contact stunned three times with his taser during the arrest of [REDACTED] (Att. 17)

CPD Evidence Technician Photographs of [REDACTED] taken on 10 MAR 10, show swelling/lacerations to his lips, redness about his face, and swelling/redness beneath his left eye. (Att. 34)

According to [REDACTED] **medical records** from Holy Cross Hospital, [REDACTED] related that he did not know how he sustained his swollen lip. He stated he was asleep. [REDACTED] chief complaint was that he was tasered. [REDACTED] was in CPD custody and transported by CFD ambulance 58. [REDACTED] was diagnosed with multiple facial contusions and abrasions. [REDACTED] was discharged. Later during the day after being released by from custody, [REDACTED] returned to Holy Cross Hospital. [REDACTED] stated complaint was that he was battered about the face and body with an unknown object and that he was tasered. [REDACTED] related that his pain had worsened. [REDACTED] further related that he was at his Aunt's house sleeping when it got raided. He related that the police battered him and he fought back because he was sleeping when the officers busted in and he did not know what was going on so he fought back, and they tasered him. [REDACTED] was diagnosed with blunt head trauma and multiple facial abrasions. [REDACTED] was discharged. (Att. 35)

Search Warrant photographs show the interior of the home searched during the execution of the search warrant. The photographs do not show any structural damage to the home or personal items. (Att. 36)

In his **To-From Witness Report**, **Officer Brian WARCHOL**, who was part of the entry team, recalled the front door of the home being damaged due to the breach of the officers. Officer WARCHOL had no recollection of any other damage done to the interior or exterior of the home. Officer WARCHOL had no knowledge of [REDACTED] being pulled from her bed or anyone sustaining injuries. Officer WARCHOL had no knowledge of any department member striking any complainant. Officer WARCHOL could not recall the demeanor of the involved complainants.(Att. 37)

In his **To-From Witness Report**, **Officer Steve JAROSZ** related essentially the same information as Officer WARCHOL.(Att. 38)

In his **To-From Witness Report**, **Officer Jason MARTINO** related essentially the same information as Officer WARCHOL.(Att. 39)

In his **To-From Witness Report**, **Officer Ryan HARTY** related essentially the same information as Officer WARCHOL.(Att. 41)

In his **To-From Witness Report**, **Officer RUBALD** related that he had no recollection of his verbal interactions with [REDACTED] and [REDACTED] observed no interior/exterior damage to the residence, had no knowledge of [REDACTED] being pulled/dragged from her bed, and no knowledge of [REDACTED] being struck about the face and body. Officer RUBALD stated that [REDACTED] sustained his injuries from struggling with multiple officers, being non-compliant, aggressive, combative, and striking his face on a pillar in the basement and on the basement floor. (Att.43)

In his **To-From Witness Report**, **Officer James MANSELL** related that he was securing the first floor when he heard loud noises coming from the basement. Officer MANSELL proceeded to the basement and observed [REDACTED] refusing the orders of Officer RUBALD to place his hands behind his back. Officer MANSELL related that the front door of the residence was damaged due to the breach of the officers. Officer MANSELL had no knowledge of [REDACTED] being dragged/pulled from her bed, or how [REDACTED] sustained his injuries. Officer MANSELL did not observe any department member strike [REDACTED] about the face or body. (Att. 42)

In his **To-From Witness Report**, **Officer SCUDELLA** related that he was one of the first officers through the front door. After entry, the occupants (complainants/victims) on the first floor were awake and out of their bed. Officer SCUDELLA was securing the occupants on the first floor until he heard noise coming from the basement. Officer SCUDELLA proceeded to the basement and observed multiple officers attempting to handcuff [REDACTED] who was not complying. Officer SCUDELLA deployed his taser (dry stun) to seek compliance from [REDACTED]

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██████ and Officer SCUDELLA both fell to the ground and ██████ was eventually placed into custody. Officer SCUDELLA related that the damage to the front door was done prior to their breach. One of the occupants informed Officer SCUDELLA that another search was conducted at their home earlier during the week in which the door was forced open. Officer SCUDELLA related that ██████ was not pulled from her bed; ██████ was out of bed and in her bedroom doorway immediately after the initial breach. Officer SCUDELLA did not observe any interior damage to the residence as a result of the search warrant. ██████ sustained his injuries from striking a support pole in the basement while struggling with multiple officers. ██████ fell face first along with Officer SCUDELLA during a struggle to handcuff ██████. Officer SCUDELLA had no knowledge of any officer striking ██████ about the face or body. Officer SCUDELLA described ██████ behavior as combative. (Att. 40)

In his **To-From Witness Report**, Sergeant SCHULZ related that he did not recall the demeanor of ██████ or ██████. He related that the front door of the residence was damaged as a result of officers having to use the necessary force to gain entry. Sergeant SCHULZ had not knowledge of ██████ being pulled/dragged from her bed, or of any department member striking ██████ about the face and body. Sergeant SCHULZ related that he observed ██████ batter Officer RUBALD, at which time he discharged his taser at ██████. As a result of being tasered, ██████ fell and struck his face against a pillar; which caused injury to his face and mouth. ██████ continued to be non-compliant which resulted in Officer SCUDELLA dry stunning ██████. ██████ then slipped and fell face first onto the floor. (Att. 44)

CONCLUSION:

The R/I recommends a finding of **NOT SUSTAINED** for **Allegation #1**, that Unknown Officers damaged her home and personal items. The Search Warrant photographs do not show any damage to ██████ home (interior) or personal items. The photographs do show that the home was searched and items are scattered about which would be consistent with a home being searched. Some witness officers related that ██████ door was damaged as a result of them having to use the necessary force to gain access to the home. However, Officer SCUDELLA who was part of the entry team and one of the first Officers through the front door, related that the damage to the door occurred during a previous search conducted earlier in the week. Officer SCUDELLA related that he obtained such information from one of the occupants of the home. It should be noted that during their statements, ██████ and ██████ both related that a search was conducted of their home a few day prior to this search.

The R/I recommends a finding of **NOT SUSTAINED** for **Allegation #2**, that Unknown Officers pulled ██████ from her bed. Officers denied the allegation that any Officer pulled ██████ from her bed. PO further related that upon entering the residence, ██████ was in her bedroom doorway and not in the bed. There is insufficient evidence to prove or disprove this allegation.

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The R/I recommends a finding of **UNFOUNDED** for **Allegation #3**, that Unknown Officers placed a rifle to the head of [REDACTED] alleged this allegation. During her interview [REDACTED] denied that an Officer placed a gun/rifle to her head.

The R/I recommends a finding of **NOT SUSTAINED** for **Allegation #4**, that Officers tasered [REDACTED] without justification. Officer SCUDELLA and Sergeant SCHULZ articulated their reasons for tasering [REDACTED] (non-compliance, swinging arms in aggressive manner, pushed PO RUBALD on chest). [REDACTED] related that he did not resist the officers in any manner during this incident. There is insufficient evidence to prove or disprove the allegation.

The R/I recommends a finding of **NOT SUSTAINED** for **Allegation #5**, that Unknown Officers struck [REDACTED] about the face and body. In their witness To-From Reports, Officers denied striking [REDACTED] or observing any Department member do so. [REDACTED] related that he was struck about the face and body, but there were no witnesses to the incident; the other involved parties were upstairs when the alleged incident occurred. The Officers explained how [REDACTED] sustained his injuries as a result of being tasered and falling against a pillar in the basement and face down on the floor. There is insufficient evidence to prove or disprove this allegation.